

Amendment No. 1 to HB3156

Armstrong
Signature of Sponsor

AMEND Senate Bill No. 3019*

House Bill No. 3156

by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 68, Chapter 14, is amended by adding the following as a new part thereto:

§ 68-14-801. This part shall be known and may be cited as “Katie Beth’s Law.”

§ 68-14-802.

For purposes of this part, unless the context otherwise requires:

(1) “Pool alarm” means a device which emits a sound of at least fifty (50) decibels when a person or an object weighing fifteen (15) pounds or more enters the water in a swimming pool, but shall not include, swimming protection alarm devices designed for individual use, such as an alarm attached to a child that sound when the child exceeds a certain distance or becomes submerged in water;

(2) “Residential dwelling” means a one-family or two-family dwelling structure; and

(3) “Swimming pool” means any structure that is intended for swimming or recreational bathing and contains water over thirty-six inches (36”) deep, including, but not limited to, in-ground, aboveground, and on-ground swimming pools; hot tubs; and nonportable spas.

§ 68-14-803. Each person, enterprise, agency or entity that sells swimming pools to the general public shall post in a prominent place a sign, at least six inches (6”) high and fourteen inches (14”) wide, that reads as follows:

STATE LAW REQUIRES A POOL ALARM BE INSTALLED.

§ 68-14-804. Each person, enterprise, agency or entity that purchases or acquires a swimming pool to be installed after the effective date of this act shall install a pool alarm before using or making available for use such swimming pool.

§ 68-14-805.

(a) When an electrical inspection is required for the installation of a swimming pool, the electrical inspector shall not give final approval for the electrical wiring unless a properly functioning swimming pool alarm has been installed.

(b)

(1) No local government shall issue a building permit for the construction or substantial alteration of a swimming pool located at a residential dwelling unless the project calls for and a functioning swimming pool alarm to be installed prior to the completion of the construction project.

(2) It is an offense for any person, firm, association or corporation to knowingly accept a building permit for a swimming pool located at a residential dwelling unless a functioning swimming pool alarm will be installed prior to the completion of the construction project.

§ 68-14-806. A violation of this part is a Class C misdemeanor, punishable by a fine only not to exceed one hundred dollars (\$100). Second and subsequent offenses shall be punishable by a fine only of not more than five hundred dollars (\$500).

§ 68-14-807. The provisions of this part shall not apply to public swimming pools or multi-family residential housing swimming pools, as defined in § 68-14-302.

SECTION 2. This act shall take effect January 1, 2011, the public welfare requiring it.